

## MESSAGES FROM THE HOUSE

At 6:27 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that pursuant to clause 11 of rule 1, the Speaker removes the gentleman from Michigan, Mr. UPTON, as a conferee on S. 1932 and appoints the gentleman from Texas, Mr. BARTON, to fill the vacancy thereon, in the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1932) to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95).

The message also announced that the House agree to the amendment of the Senate to the bill (H.R. 3402) to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, and for other purposes.

The message further announced that the House has agreed to the following bills, in which it requests the concurrence of the Senate:

H.R. 4519. An act to amend the Public Health Service Act to extend funding for the operation of State high risk health insurance pools.

H.R. 4525. An act to temporarily extend the programs under the Higher Education Act of 1965, and for other purposes.

H.R. 4568. An act to improve proficiency testing of clinical laboratories.

H.R. 4579. An act to amend title I of the Employee Retirement Income Security Act of 1974, title XXVII of the Public Health Service Act, and the Internal Revenue Code of 1986 to extend by one year provisions requiring parity in the application of certain limits to mental health benefits.

## ENROLLED BILLS SIGNED

The message also announced that the Speaker has signed the following enrolled bills:

H.R. 4324. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to reauthorize the predisaster mitigation program, and for other purposes.

H.R. 4340. An act to implement the United States-Bahrain Free Trade Agreement.

H.R. 4436. An act to provide certain authorities for the Department of State, and for other purposes.

Under authority of the order of the Senate of today, December 17, 2005, the enrolled bills were signed subsequently by the Majority Leader (Mr. FRIST).

At 7:25 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bill and joint resolution, in which it requests the concurrence of the Senate:

H.R. 4437. An act to amend the Immigration and Nationality Act to strengthen enforcement of the immigration laws, to enhance border security, and for other purposes.

H.J. Res. 75. Joint resolution making further continuing appropriations for the fiscal year 2006, and for other purposes.

The message also announced that the House has agreed to the following con-

current resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 324. Concurrent resolution directing the Secretary of the Senate to make a technical correction in the enrollment of S. 1281.

The message further announced that the House agree to the amendment of the Senate to the amendment of the House to the bill (S. 467) to extend the applicability of the Terrorism Risk Insurance Act of 2002.

The message also announced that the House agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (S. 1281) to authorize appropriations for the National Aeronautics and Space Administration for science, aeronautics, exploration, exploration capabilities, and the Inspector General, and for other purposes, for fiscal years 2006, 2007, 2008, 2009, and 2010.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-5028. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Cambridge, Newark, St. Michaels, and Stockton, Maryland and Chincoteague, Virginia)" (MB Docket No. 04-20) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5029. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Mt. Enterprise, Texas and Hodge, Louisiana)" (MB Docket No. 05-34) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5030. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Connorsville, Madison, and Richmond, Indiana, Erlanger and Lebanon, Kentucky, and Norwood, Ohio; and Lebanon, Lebanon Junction, New Haven, and Springfield, Kentucky)" (MB Docket No. 05-17) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5031. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Eminence, Potosi, Rolla, Lebanon and Linn, Missouri)" (MB Docket No. 01-151) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5032. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Lake City, Chattanooga, Harrogate, and

Halls Crossroads, Tennessee)" (MB Docket No. 03-120, RM-10591 and RM-10839) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5033. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Rankin and Sanderson, Texas)" (MB Docket No. 02-253) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5034. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Hornbeck, Louisiana, and Mojave and Trona, California)" (MB Docket Nos. 05-46 and 05-109) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5035. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Terrebonne, Oregon)" (MB Docket No. 02-123) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5036. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Bass River Township and Ocean City, New Jersey)" (MB Docket No. 05-188) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5037. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Milner, Ellaville, and Plains, Georgia)" (MB Docket No. 05-106) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5038. A communication from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Wilmington, Mount Sterling, Zanesville, and Baltimore, Ohio)" (MB Docket No. 04-161) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5039. A communication from the Senior Legal Advisor, Chief Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Digital Television Distributed Transmission Systems" (FCC 05-192, MB 05-312) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5040. A communication from the Deputy Chief, Policy and Rules Division, Office of Engineering and Technology, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Requirements for Digital Television Receiving Capability" (ET Docket No. 05-24) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5041. A communication from the Assistant Bureau Chief, Enforcement Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Review of the Emergency Alert System" (EB Docket No. 04-296, FCC 05-191) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5042. A communication from the Associate Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Improving Public Safety Communications in the 800 MHz Band" (WT Docket No. 02-55, FCC 05-174) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5043. A communication from the Assistant Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "In the Matter of Federal-State Joint Board on Universal Service, Schools and Libraries Universal Service Support Mechanism, Rural Health Care Support Mechanism, Lifeline and Link-up, Order in CC Docket Nos. 96-45, 02-6, WC Docket Nos. 02-60, 03-109" (FCC 05-178) received on December 12, 2005; to the Committee on Commerce, Science, and Transportation.

EC-5044. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans and Operating Permits Program; State of Iowa" (FRL8010-9) received on December 16, 2005; to the Committee on Environment and Public Works.

EC-5045. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "List of Hazardous Air Pollutants, Petition Process, Lesser Quantity Designations, Source Category List" (FRL8009-5) received on December 16, 2005; to the Committee on Environment and Public Works.

EC-5046. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "NESHAP: National Emission Standards for Hazardous Air Pollutants: Standards for Hazardous Air Pollutants for Hazardous Waste Combustors" (FRL8009-3) received on December 16, 2005; to the Committee on Environment and Public Works.

EC-5047. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "TSCA Inventory Update Reporting Partially Exempted Chemicals List Addition of Certain Aluminum Alkyl Chemicals" (FRL7732-6) received on December 16, 2005; to the Committee on Environment and Public Works.

EC-5048. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "TSCA Inventory Update Reporting Revisions" (FRL7743-9) received on December 16, 2005; to the Committee on Environment and Public Works.

EC-5049. A communication from the President, National Center for Policy Analysis, transmitting, the Center's Third Quarter Report; to the Committee on Finance.

EC-5050. A communication from the United States Trade Representative, Executive Of-

fice of the President, transmitting, pursuant to law, the Office of the U.S. Trade Representative's Buy American Report for fiscal year 2004; to the Committee on Finance.

EC-5051. A communication from the Commissioner, Social Security Administration, transmitting, pursuant to law, a report entitled "Report on Improvements to the Enumeration at Birth Process"; to the Committee on Finance.

EC-5052. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Coverage and Payment of Ambulance Services; Inflation Update for Calendar Year 2006" (RIN0938-AN99) received on December 16, 2005; to the Committee on Finance.

EC-5053. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Application of Inherent Reasonableness Payment Policy to Medicare Part B Services (Other Than Physician Services)" (RIN0938-AN81) received on December 16, 2005; to the Committee on Finance.

EC-5054. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Clean Renewable Energy Bond Notice" (Notice 2005-98) received on December 16, 2005; to the Committee on Finance.

EC-5055. A communication from the Assistant Secretary of Defense (Special Operations/Low-Intensity Conflict), transmitting pursuant to law, the Fiscal Year 2005 annual report on the Regional Defense Counterterrorism Fellowship Program; to the Committee on Armed Services.

EC-5056. A communication from the Publications Control Officer, Department of the Army, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Armed Forces Disciplinary Control Boards and Off-Installation Liaison and Operations" (RIN0702-AA50) received on December 16, 2005; to the Committee on Armed Services.

EC-5057. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "State, District, and Local Party Committee Payment of Certain Salaries and Wages" (Notice 2005-27) received on December 16, 2005; to the Committee on Rules and Administration.

EC-5058. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Electioneering Communications" (Notice 2005-29) received on December 16, 2005; to the Committee on Rules and Administration.

EC-5059. A communication from the Chairman, Federal Election Commission, transmitting, pursuant to law, the report of a rule entitled "Extension of Administrative Fines Program" (Notice 2005-30) received on December 16, 2005; to the Committee on Rules and Administration.

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BENNETT (for himself and Mr. SCHUMER):

S. 2141. A bill to make improvements to the Federal Insurance Deposit Act; considered and passed.

#### ADDITIONAL COSPONSORS

S. 2082

At the request of Mr. BAUCUS, his name was added as a cosponsor of S. 2082, a bill to amend the USA PATRIOT Act to extend the sunset of certain provisions of that Act and the lone wolf provision of the Intelligence Reform and Terrorism Prevention Act of 2004 to March 31, 2006.

AMENDMENT NO. 2681

At the request of Mr. KENNEDY, his name was added as a cosponsor of amendment No. 2681 proposed to H.R. 3402, a bill to authorize appropriations for the Department of Justice for fiscal years 2006 through 2009, and for other purposes.

#### MAKING FURTHER CONTINUING APPROPRIATIONS FOR THE FISCAL YEAR 2006

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to H.J. Res. 75, the continuing resolution, which is at the desk; provided further that the resolution be read three times and passed, and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (H.J. Res. 75) was read the third time and passed.

#### AUTHORITY TO SIGN

Mr. FRIST. Mr. President, I ask unanimous consent that during the adjournment of the Senate, the majority leader be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. FRIST. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar No. 213, 365, 374, 383, 425, 426, 442, 465, 466, 467, 468, 470, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482; provided further that the Commerce Committee be discharged from further consideration of the following nominations and the Senate proceed to these en bloc: PN1119, PN1120, PN1121, PN1122. I further ask unanimous consent that the nominations be confirmed en bloc, the motions to reconsider be laid on the table, the President be immediately notified of the Senate's action and the Senate then return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed en bloc are as follows:

#### ENVIRONMENTAL PROTECTION AGENCY

Susan P. Bodine, of Maryland, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.